

Beausale, Haseley, Honiley, Wroxall Parish Council - Planning Committee Guidance & Terms of Reference

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The Parish Council strives to ensure the decisions and recommendations it makes on planning applications are transparent and in line with national and local planning guidance available.

This document provides:

- a brief guide to how planning applications are dealt with and the Parish Council's role in the process
- the formal terms of reference for the Parish Council's Planning Committee.

Dealing with Planning Applications

Warwick District Council (WDC) is the local authority and is the only body that can make decisions on planning applications. WDC is obliged to notify the Parish Council of planning applications relating to land and buildings within the parish and, when making a decision, to take into account the comments received from the Parish Council. Comments must be received within 21 days of this notification.

WDC publishes all planning applications and all comments received on their website. Use the Advanced Search function to view all planning applications by parish. WDC usually informs owners of neighbouring properties of an application (which they are not obliged to do) and place a notice on a public highway near the site.

Every planning application that relates to land and buildings in the parish is considered by the Parish Council at a meeting of either the Planning Committee or the full Parish Council. The Parish Council will also consider planning applications relating to neighbouring parishes, that are of concern to residents.

Meetings of the Planning Committee are advertised if required, and members of the public are welcome to attend and express their views on applications. Councillors will discuss and vote on the comments to be made by the Parish Council on each application. The submitted Parish Council comments are a corporate view of the council; they do not necessarily reflect all comments made by members of the public. Neither the submitted comments nor the minutes of the meeting contain anything that could personally identify a member of the public.

The Parish Council has 21 days to submit comments (if any) to WDC. Members of the public can and (for maximum impact) should submit their own comments via the WDC planning portal.

Information on how to do this may be found on the WDC website. WDC will only consider comments that include the name and address of the submitter, which will be published with the comment on the WDC website.

WDC will then make a decision on the application. Most decisions are made by a Planning Officer (employee) of WDC. Some are decided by a WDC Planning Committee (also known as Ward Members) usually because either the Ward Member for BBHW or the Parish Council does not agree with the decision of the Planning Officer. If the decision is to be made at Committee, the meeting will be advertised by WDC and members of the public can attend and make comments.

If permission for the application is refused, or is granted subject to conditions, the applicant may appeal to the Planning Inspectorate. However, neither the Parish Council nor anyone else opposed to a planning application can appeal if planning permission is granted.

WDC is also responsible for enforcement action, for example where development has taken place without planning permission. Complaints about unauthorised development should be made to WDC.

The Parish Council's role in the Planning Process

The Parish Council has a statutory right to be consulted on planning applications in its area but the final decision rests with WDC. The Parish Council's role is to inform and add value to the decision making process by:

- providing local knowledge and background which Planning Officers may not be aware of
- providing a conduit for local opinion and community concerns
- alerting the local community to particular issues of concern arising from planning applications.

Whilst the Parish Council is free to make any comments it likes, only relevant planning matters will be considered. Relevant questions for the Parish Council to ask when considering an application are:

- Is the application in a conservation area or affecting a listed building?
- What will be its impact on traffic and highway safety?
- Will it cause problems for neighbours of loss of privacy and overlooking?
- Is the extent or scale of the development in keeping with the immediate area?
- Are the design, appearance, materials and layout appropriate for the area?
- Will it result in loss of open space or amenity?
- Will it cause unacceptable noise, disturbance and smells?
- Will there be potential problems with drainage, flooding and water run-off?

Issues that are not relevant in planning terms are:

- The effect on surrounding property values
- Loss of people's views resulting from the development
- Possible future development not included in the current application
- Private property rights such as boundary disputes
- Matters covered by other laws
- The identity or reputation of the developer, applicant or landowner.

Terms of Reference for the Planning Committee

Membership

The Committee shall consist of at least three councillors, elected annually, (or as soon as practicable), by the Parish Council at the Annual Parish Council Meeting. The quorum of the Committee shall be three members.

At its first meeting the Committee shall elect a Chair from amongst themselves.

Should any of the elected committee members not be able to attend a Planning Committee meeting or knows that they will have to declare an interest on one or more of the agenda items, it is their responsibility to inform the Clerk in good time. The Clerk may seek advice from the Monitoring Officer. The Clerk will make arrangements for a substitute or additional Councillor to attend so that the meeting shall remain quorate.

Members will be expected to undertake relevant training to assist them in their discussions and their decision making.

Should a Member need further advice on impartiality/declaring an interest, they should contact the Monitoring Officer at WDC.

Any parish councillor not on the Planning Committee (and not asked to be a substitute) may also take part in a specific meeting, with full voting rights. They must be present at the start of the meeting and attend throughout.

Areas of responsibility

The Planning Committee has delegated authority from the Parish Council to make representations to the Local Planning Authority on applications for planning permission which have been notified to the Council.

The Committee will also consider and respond to an application located in a neighbouring parish, at the request of either the Parish Clerk or the Chair of Parish Council.

Meetings

Meetings will be called and conducted in accordance with Parish Council Standing Orders.

Meetings will be called by the Parish Clerk as necessary in order to deal with applications within their consultation periods. The Clerk may agree with WDC a modest extension of a consultation period in order to batch applications efficiently.

Meetings are normally held as required.

The agenda, listing all applications to be considered, will be published three clear days in advance of the meeting on the village notice boards and Parish Council website. The meeting will not consider an application which has not been publicly notified in this way.

Committee members will familiarise themselves with the applications before the meeting via the WDC planning portal. They may canvass opinions from residents and others but will come to the meeting with an open mind.

The Parish Clerk will ensure that any correspondence received, prior to the meeting is considered at the meeting.

The Chair will normally allow free and open discussion by members of the public at the meeting, ensuring that all who wish to comment have a chance to speak. However, the Chair may restrict discussion or impose time limits on individuals if there is a large number of people wishing to speak, or if necessary, to maintain order in the meeting.

Councillors must declare their interest in a matter to be discussed at a meeting as soon as they are aware, they have an interest. Councillors with a declared interest may remain to make representations at the meeting as a member of the public. However, the Councillor must leave the room when the Council moves into decision-making and cannot be present for any vote.

Minutes of all meetings will be recorded by the Parish Clerk or by any member nominated at the meeting. Minutes will record the recommendations and planning reasons agreed at the meeting. They will be circulated to all councillors as draft Minutes, then approved at the next Full Council Meeting.

Responses

The Parish Clerk will communicate to the Local Planning Authority the Committee's recommendations in respect of applications considered. In the absence of the Clerk, the Chair may submit the response direct to WDC.